

GOVERNOR'S  
REASONS  
FOR VETO  
(cont'd):

whether it was appropriate for the state to mandate a specific election date rather than letting local governments choose one of the four dates provided under current law.

SPONSOR'S  
VIEW:

Rep. Elizondo said the bill was intended to save the taxpayers money by requiring joint school board and city council elections. He said it was not intended to hurt the City of Houston. "In his eagerness to veto the bill, the Governor never did consult me at all," the sponsor said. Had he been aware that Houston was already complying with the intent of the bill, the sponsor said he would have written the bill to exempt Houston, or otherwise have altered it to prevent problems. He said he will introduce a similar bill next session.

Contributions to Treasurer  
(HB 2123 by Brookshire)

DIGEST:

This bill would have prevented persons who profit from state deposits from making campaign contributions to the State Treasurer and to other members of the state Depository Board. It would be a Class A misdemeanor for a board member to intentionally or knowingly accept a contribution prohibited by this bill.

GOVERNOR'S  
REASONS  
FOR VETO:

By severely restricting certain persons or groups from influencing the State Depository Board by either making campaign contributions or granting something of value for office activities, this bill would present serious constitutional problems. It would deny incumbent board members equal access to campaign contributions with the challenger. This could violate the Equal Protection Clause of the Fourteenth Amendment, and the Freedom of Speech Clause of the First Amendment. Present bribery statutes prohibit undue influence to members of the State Depository Board. This bill would infringe upon the right of Texans to participate in the political process.

SPONSOR'S  
VIEW:

Rep. Brookshire said the Governor should not have vetoed this bill. He said when the State Treasurers have run for re-election, they often have called up banks to get contributions. Some bankers even say that if they don't contribute, they don't get state deposits. HB 2123 would have eliminated this abuse.

Creation of a County Court of Brown County  
(HB 2158 by Nabers)

DIGEST: The bill creates a County Court at Law for Brown County.

GOVERNOR'S  
REASONS

FOR VETO: The sponsor of the bill, on behalf of and at the urging of the Commissioners Court of Brown County, requested the veto.

SPONSOR'S  
VIEW:

The commissioners court preferred that the effective date be 1984, rather than 1982 as the bill specified. In the next session, the bill will be submitted again with an effective date of 1984. The Governor was most cooperative.

Texas Antiquities Committee  
(HB 2199 by A. Smith)

DIGEST: This bill would have given the Texas Antiquities Committee statutory authority over the archeological resources of Texas and the areas of the state likely to contain these resources. It would have given the committee authority to identify and designate certain landmarks.

GOVERNOR'S  
REASONS  
FOR VETO:

This attempt to codify rules and regulations of the Texas Antiquities Committee entailed excessive legislative involvement in the regulatory process of state agencies and was a violation of the separation of powers between the executive and legislative branches of government. Furthermore, no change in the Antiquities Commission is warranted at this time because the Commission will be up for Sunset review during the legislative interim.

SPONSOR'S  
VIEW:

The author said he respected the Governor's opinion. Even though the bill passed the consent calendar in both houses and seemed to have wide support, the Governor might have had additional information leading to the veto.